

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA,                          )  
                                                            )  
                                                            )  
v.                                                         )       No. 1:17-CR-078-TRM-SKL-01  
                                                            )  
BENJAMIN WADE ELLIOTT                              )

**MEMORANDUM AND ORDER**

BENJAMIN WADE ELLIOTT (“Defendant”) appeared for a hearing on January 28, 2022, in accordance with Rules 5 and 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for an Offender Under Supervision (“Petition”) in the above matters.

Defendant was placed under oath and informed of his constitutional rights. Defendant previously retained Attorney Daniel J. Ripper to represent Defendant in this matter [Doc. 24]. It was also determined that Defendant had been provided with and reviewed with counsel a copy of the Petition.

The Government moved that Defendant be detained without bail pending his revocation hearing before U.S. District Judge McDonough. Defendant waived his right to a preliminary hearing and a detention hearing.

Based upon the Petition and waiver of preliminary hearing, the Court finds there is probable cause to believe Defendant has committed violations of his condition of supervised release as alleged in the Petition.

Accordingly, it is **ORDERED** that:

(1) Counsel for Defendant and the Government shall confer and make best efforts to submit to U.S. District Judge McDonough a proposed Agreed Order with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision.

(2) In the event counsel are unable to reach agreement with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision, they shall request a hearing before U.S. District Judge McDonough. **A Revocation Hearing is scheduled to take place before Chief Judge Travis R. McDonough on March 11, 2022 at 9:00 a.m.**

(3) The Government’s motion that Defendant be **DETAINED WITHOUT BAIL** pending further order from this Court is **GRANTED**.

SO ORDERED.

ENTER.

*s/ Susan K. Lee*

SUSAN K. LEE

UNITED STATES MAGISTRATE JUDGE